

**JUNCTION CITY PLANNING COMMISSION
STAFF REPORT**

File: Amendment to Junction City Zoning Ordinance and Comprehensive Plan, CPA-12-01

Report Date: August 9, 2012

Hearing Date: August 16, 2012

APPLICANT: City of Junction City

PROPERTY OWNER: Not applicable

LOCATION: Throughout Junction City.

PROPOSAL: The proposed language and maps are included as Attachments to Exhibit A. The proposal includes the following components:

Wetlands: Adopt Local Wetland Inventory. Adopt Wetland ESEE Analysis containing proposals for protection of locally significant wetlands. Adopt amendments to the Junction City Comprehensive Plan text to update Chapter 2, Environmental Element. Adopt amendments to the Junction City Comprehensive Plan map to include a wetland resources overlay. Adopt amendments to Junction City Municipal Code 17.60 to include new regulations for protection of locally significant wetlands proposed for protection. Adopt amendments to Junction City Municipal Code 17.150 to include new administrative procedures addressing wetlands proposed for protection. Adopt amendments to the Zoning Map of Junction City to apply a wetland resources overlay to locally significant wetlands proposed for protection.

Economic Development: Amend the Junction City Economic Opportunity Analysis. Adopt amendments to the Junction City Comprehensive Plan text to update Chapter 4, Economic Development Element. Adopt amendments to the Junction City Comprehensive Plan text and map to expand the urban growth boundary and designate those lands Commercial.

Housing: Adopt a new Housing goals and policies, Residential Buildable Lands Inventory and Housing Needs Analysis as components of the Junction City Comprehensive Plan. Adopt amendments to the Junction City Comprehensive Plan map to 1) establish three different residential densities (Low, Medium, and High) consistent with existing zoning, 2) redesignate land from Low Density Residential to Medium Density Residential, and 3)

redesignate properties from Professional/Technical to a combination of Low, Medium, and High Density Residential. The proposal would include one acre of High Density Residential (R-3 zoning), 9 acres of Medium Density Residential (R-2 zoning), with the remaining acreage to be developed as Low Density Residential (R-1 zoning). Adopt amendments to the Junction City Comprehensive Plan map to expand the urban growth boundary and designate those lands Medium Density Residential. Adopt amendments to the Zoning Map of Junction City to rezone the Professional Technical site to one acre of R-3 zoning, 9 acres of R-2 zoning, with the remaining acreage to be developed under R-1 zoning.

Parks: Adopt amendments to the Junction City Comprehensive Plan map to expand the urban growth boundary and designate those lands Public. Adopt amendments to the Junction City Comprehensive Plan text to update Chapter 8, Parks, Historical and Cultural Preservation.

Miscellaneous:

Adopt amendments to the Junction City Comprehensive Plan text to update Chapter 3, Land Use Element.

Delete the following Sections of the Comprehensive Plan, which have been replaced by the more recent analysis noted above:

- Chapter 9, Buildable Lands Inventory (1982)
- Appendix A, Buildable Land Inventory and Low Income Housing Needs (1982)
- Goal 14 Urbanization Analysis (3/30/1982)
- Appendix C: Year 2000 Land Needs Assessment
- Appendix II

STAFF RECOMMENDATION: Approve the proposed amendments.

BACKGROUND

In July 2008 the City received grant funds from Department of Land Conservation and Development to fund a customized periodic review project to update the City's Comprehensive Plan. The project was scheduled to be completed in 2 phases.

Phase I was completed on February 17, 2010, with DLCD acknowledgement of the Comprehensive Plan amendments which included the following tasks:

1. Economic Opportunities Analysis. Identification of likely industrial and other economic development opportunities and corresponding employment land needs over the planning period of the next 20 years. (Note: This document was partially approved, with the commercial lands evaluation to be completed in Phase II).
2. Urbanization Study. Evaluation of the existing UGB for its capacity to provide land for needed housing and employment for the next 20 years, add capacity through reasonable measures, and complete a UGB need and locational analysis. (Note: This document was partially approved, with the residential and commercial lands evaluation to be completed in Phase II).
3. Adopted Comprehensive Plan and Zoning Ordinance Amendments. Comprehensive Plan and Zoning Ordinance amendments with required findings.

Phase I also included the first part of the development of the City's proposed wetland protection program. During Phase I, the City began contacting many of the property owners with areas that contained potential wetlands. The City held a number of Open Houses to allow property owners to learn more about the process and to gain input from property owners about local lands. Public information meetings addressing the Wetland Inventory project were held on October 29, 2008, and March 25, 2009. Additional meetings were held in Phase II, as described below.

Phase II has been underway since June, 2010. Phase II includes the remaining components of the Customized Periodic Review Work Program that has been approved by DLCD, as follows:

1. Completion of Economic Opportunities Analysis to include commercial lands
2. Local Wetlands Inventory. Preparation of a functional assessment of wetlands and riparian areas within the UGB and wetlands and riparian areas outside the UGB likely to be included in a study area for UGB and UR designation. Designate significant wetlands as required by statewide land-use planning Goal 5 and other rules.
3. Residential Buildable Lands Inventory and Land Need Analysis. Evaluation of the existing residential land supply within the Junction City Urban Growth Boundary to determine if it is adequate to meet the future 20-year need.
4. Completion of the Urbanization Study to include the residential and commercial land need.
5. Adopted Comprehensive Plan and Zoning Ordinance Amendments needed to complete these items.

To consider the components of Phase II, the City convened the City Citizen Comprehensive Planning Committee (CCPC). The CCPC was made up of the full City Council and Planning Commission and seven citizen volunteers. In addition, the City held a Visioning Workshop and on-line survey to solicit community input on the items being considered as part of the Phase II process, including housing types, recreational amenities, public facilities, and desired commercial development, among other issues. The CCPC met 10 times between June, 2010 and May, 2011 to discuss issues pertaining to Phase II items. The CCPC process concluded in May 2011 with a set of recommendations forwarded to City Council and Planning Commission on how to address commercial and residential land deficiencies. The detailed CCPC agendas, meeting materials, and meeting minutes are not attached to this report as exhibits, but are available here:

http://www.junctioncityor.govoffice3.com/index.asp?Type=B_LIST&SEC={9B5A8C69-9D63-49D9-A34A-1D7DF6C47883}&DE=

Materials related to the Community Visioning process are also available at the same link.

Those recommendations were reviewed and refined in joint City Council and Planning Commission work sessions that were held in June and July, 2011. In January, 2012, the City Council formed a smaller body of representatives from the original CCPC to work with staff and consultants to finalize the Economic Opportunities Analysis and Economic Vision documents for Planning Commission and City Council consideration. This committee, the Customized Periodic Review Subcommittee, met seven times between February, 2012 and June, 2012 to finalize the documents for Planning Commission and City Council review. The detailed CCPC agendas, meeting materials, and meeting minutes are not attached to this report as exhibits, but are available here:

http://www.junctioncityor.govoffice3.com/index.asp?Type=B_BASIC&SEC={132BADE7-3F88-4D1A-8507-D3A4D5BD0883}&DE={3C9B5049-5097-4CEB-967C-01A01132049B}

When the inventory of wetlands was completed in late 2011, the City sent notices to property owners with identified wetlands, noticing them about this finding and encouraging them to participate in meetings that would establish new wetland regulations. Between January, 2012 and July, 2012 the Planning Commission met to discuss the wetland protection program and modifications to the residential analysis.

This package of amendments is intended to satisfy the remaining components of the Customized Periodic Review. The proposed language of the amendments and maps are included as Attachments to Exhibit A, incorporated as part of this staff report. A more detailed description of the proposed amendments is included in Exhibit A.

APPROVAL CRITERIA AND ANALYSIS

1. Compliance with Statewide Planning Goals.

Staff Response: Exhibit A, the Findings and Justification Report, contains an analysis of the proposal's consistency with the Statewide Planning Goals, as well as the applicable Oregon Administrative Rules that have been adopted providing further established procedures, standards, and definitions to administer the Statewide Planning Goals.

2. Zoning Code Standards - Section 17.145 of the Junction City Municipal Code (JCMC) establishes requirements for amendments to the Zoning Code.

Staff Response: Section 17.145.010 of the Junction City Municipal Code (JCMC) allows the City Council and Planning Commission to initiate an amendment to the text or map of the ordinance. The City Council initiated the amendments as part of entering into the Customized Periodic Work Program with DLCD.

Section 17.145.030 establishes requirements for noticing. The City has followed the noticing requirements found in JCMC 17.150.070 and 17.150.080. Notice was mailed to affected property owners and properties within 300 feet. Notice of the meeting was published in the Tribune News on July 25, 2012, a minimum of 10 days prior to the hearing. In addition, notice was published in the Register Guard on August 8, 2012.

A record of amendments to the text of this title and the zoning map were made available on the City's website, as well as at City Hall.

AGENCY AND PUBLIC COMMENTS

1. Comments prior to Public Notice

As noted above, many interested parties and property owners were involved in the CCPC deliberation process. Exhibit B contains a list of property owner requests received through the CCPC process. The detailed CCPC agendas, meeting materials, and meeting minutes are not attached to this report as exhibits, but are available here:

http://www.junctioncityor.govoffice3.com/index.asp?Type=B_LIST&SEC={9B5A8C69-9D63-49D9-A34A-1D7DF6C47883}&DE=

In addition, at the November meeting, the Planning Commission received several requests from property owners. At the meeting, the Planning Commission determined that the properties would be reviewed at the time of the public hearings. The copies of this correspondence are included as Exhibit C.

Finally, the Oregon Department of Corrections has submitted a comment letter concerning the proposal, which is included as Exhibit D.

2. Comments received after the Public Notice

Affected property owners were mailed notice of the Hearings consistent with the provisions of ORS 227.186 and 17.150.080.

In addition, abutting property owners within 300 feet of the affected properties were mailed notice, consistent with JCMC 17.150.080(C). Notice was also mailed to tenants of affected mobile home parks as required.

Notice of the meeting was published in the Tribune News on July 25, 2012, a minimum of 10 days prior to the hearing. In addition, notice was published in the Register Guard on August 8, 2012. Notice has also been provided to interested parties who requested to receive information on the project, as well as to DLCD, consistent with the provisions contained in JCMC 17.150.080.

As of the issuance of this staff report, the City has received 22 comments and a petition signed by 192 persons, which are contained in Exhibit E.

SUMMARY AND CONCLUSION

The Planning Commission has the ability to recommend approval of the amendments to the Comprehensive Plan and Zoning Ordinance and forward it to the City Council.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The City has received written requests to leave the public hearing on wetlands open an additional 14 days. In the Junction City Municipal Code, Section 17.150.090 E it states, "unless there is a continuance, if a participant so requests before the conclusion of the evidentiary hearing, the record shall remain open at least seven days after the hearing." As a result, the written record shall remain open until at least August 23rd before the Planning Commission may take action on the proposed amendments. Based on this request, the Planning Commission shall either:

1. Determine a date and time for closing of the written record on the proposed amendments. The written record shall remain open through, at minimum, August 23rd, OR
2. If the Commission desires more information, the Commission may move to continue the hearing to a date certain. If the Commission chooses this option, the hearing shall be continued to a date, time, and place at least seven days from the date of the initial evidentiary hearing (JCMC 17.150.090(D)).

If the Planning Commission chooses Option 1, then the Planning Commission shall also determine a date and time for the Planning Commission to reconvene, deliberate, and provide their recommendation to the City Council on the proposed amendments.

In considering the proposed amendments, the Planning Commission may take the following actions after the closing of the record:

1. Move to recommend approval of the amendments to the Comprehensive Plan and Zoning Ordinance as presented in Exhibit A, Attachments 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, and 16.
2. Move to recommend revisions to any of the recommended provisions contained in Exhibit A, Attachments 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, and 16. If the Commission revises the proposed amendments, the findings of fact contained in Exhibit A must be amended as necessary to reflect these changes. The Commission may also direct staff to amend the findings of fact contained in Exhibit A to address substantive public comments on the proposal.
3. Move to not recommend approval of the amendments to the Comprehensive Plan and Zoning Ordinance as presented in Exhibit A, Attachments 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, and 16. If the Commission does not recommend the amendments

to the City Council for approval, move to have staff study the existing zoning ordinance and Comprehensive Plan and a) return with another proposal for their consideration or b) not bring the matter back before the Commission.

ATTACHMENTS

- Exhibit A: *Findings and Justification Report and the following Attachments:*
 1. Attachment 1: Proposed Junction City Comprehensive Plan Amendments to Comprehensive Plan Map
 2. Attachment 2: Proposed Zoning Ordinance Map Amendment
 3. Attachment 3: DSL Approved Local Wetland Inventory (Report) (new Appendix II to the Comprehensive Plan) and Notice to Property Owners as required under OAR 141-086-0240
 4. Attachment 4: Goal 5 ESEE Analysis for the Area within the Junction City Urban Growth Boundary (Winterbrook Planning, May 2012) (new Appendix IV to the Comprehensive Plan)
 5. Attachment 5: Proposed Junction City Comprehensive Plan Amendments to Chapter 2 (Environmental Element)
 6. Attachment 6: Zoning Ordinance Amendments (Water Resources Overlay District)
 7. Attachment 7: Letter from Janet Morlan, Wetlands Program Coordinator, Oregon Department of State Lands to Junction City concerning the local wetland inventory
 8. Attachment 8: Proposed Junction City EOA and EDS (revised Appendix III to the Comprehensive Plan)
 9. Attachment 9: Proposed Junction City Comprehensive Plan Amendments to Chapter 3 (Land Use)
 10. Attachment 10: Proposed Junction City Comprehensive Plan Amendments to Chapter 4 (Economic Development)
 11. Attachment 11: Proposed Residential Buildable Lands Inventory (new Appendix I to the Comprehensive Plan)
 12. Attachment 12: Proposed Junction Comprehensive Plan Amendment – New Goal 10 Housing Element
 13. Attachment 13: Proposed Junction City Comprehensive Plan Amendments to Chapter 8 (Parks, Recreational, and Cultural Preservation Element)
 14. Attachment 14: Existing Parks and Paths of Junction City Plan
 15. Attachment 15: Lane County Ordinance PA 1255 Amending the Lane County Rural Comprehensive Plan (RCP) and Adopting a Coordinated Population Forecast for Lane County and Each Urban Area within the County (June 17, 2009)
 16. Attachment 16: Proposed Sections to be repealed from the Comprehensive Plan, as follows:
 - Chapter 9, Buildable Lands Inventory (1982)
 - Appendix A, Buildable Land Inventory and Low Income Housing Needs (1982)
 - Goal 14 Urbanization Analysis (3/30/1982)
 - Appendix C: Year 2000 Land Needs Assessment
 - Appendix II

Junction City Planning Commission
August 16, 2012

- Exhibit B, Property Owner Requests for Inclusion in the UGB Expansion
- Exhibit C, Property Owner Requests for Inclusion in the UGB Expansion considered at the November, 2011 Planning Commission meeting
- Exhibit D, Letter from Oregon Department of Corrections
- Exhibit E, Public Comments
 1. Public Comment from GMH
 2. Public Comment from Randy Cuddeback
 3. Public Comment from Richard Anderson
 4. Public Comment from Harold Batchelder
 5. Public Comment from Mike Kelley
 6. Public Comment from Joleen Hughes
 7. Public Comment from Greg Swenson
 8. Public Comment from Mark Campbell
 - 9-101. Petition signed by 92 persons
 102. Public Comment from Randy and Debbie Chizek
 103. Public Comment from Bob and Terry Lee
 104. Public Comment from Clarke and Karen Wilde
 105. Public Comment from Rebecca Lindall
 106. Public Comment from Rachel Shelly
 107. Public Comment from Shannon Nill, Guaranty Chevrolet and RV Super Centers
 - 108-118. Petition signed by 12 persons
 119. Public Comment from William J. Boresek
 120. Public Comment from Keith Horton, Grain Millers
 121. Public Comment from Helen Annette Tracer Ellsworth and Sterling G. Ellsworth, PhD
 122. Public Comment from Kathy Tracer Kling
 123. Public Comment from George E. and Marian E. Tracer
 124. Public Comment from Susan Tracer
 125. Public Comment from Jon Silvermoon, Habitat for Humanity
 - 126-213. Petition signed by 88 persons
 214. Public Comment from Mia Nelson, 1000 Friends of Oregon

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